

EXHIBIT A

QUINN EMANUEL URQUHART & SULLIVAN, LLP

Ryan S. Goldstein (Bar No. 208444)

ryangoldstein@quinnemanuel.com

Bruce E. Van Dalsem (Bar No. 124128)

brucevandalsem@quinnemanuel.com

Daniel C. Posner (Bar No. 232009)

danposner@quinnemanuel.com

865 South Figueroa Street, 10th Floor

Los Angeles, California 90017-2543

Telephone: (213) 443-3000

Facsimile: (213) 443-3100

Attorneys for TSUBURAYA
PRODUCTIONS CO. LTD.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

UM CORPORATION, a Japanese
corporation,

Plaintiff,

vs.

TSUBURAYA PRODUCTIONS CO.
LTD., a Japanese corporation,

Defendant.

CASE NO. 2:15-cv-03764-AB-AJW

**DECLARATION OF MANU
RAKWATTANAKUL '**

Trial Date: April 18, 2017

Judge: Hon. André Birotte, Jr.

1 TSUBURAYA PRODUCTIONS CO.
2 LTD., a Japanese corporation,

3 Counterclaimant,
4

5 vs.

6 UM CORPORATION, a Japanese
7 corporation; ULTRAMAN USA, INC.,
8 a California corporation; SOMPOTE
9 SAENGDUENCHAI, a Thai individual;
10 GOLDEN MEDIA GROUP, INC., a
11 California corporation; TIGA
12 ENTERTAINMENT COMPANY,
13 LTD., a Hong Kong corporation; and
14 DOES 1-10,

15 Counterdefendants.
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DECLARATION OF MANU RAKWATTANAKUL

I, Manu Rakwattanakul, declare as follows:

1. I am an attorney duly authorized to practice law in Thailand and a partner at Baker & Mackenzie, Ltd. I make this declaration of personal, firsthand knowledge, and, if called and sworn as a witness, I could and would testify competently thereto.

2. Since December 1997, I have represented Tsuburaya Productions Co. Ltd. ("Tsuburaya"), the creator of the "Ultraman" character, in various civil and criminal proceedings in the courts of Thailand. In these proceedings, Tsuburaya has been adverse to Sompote Saengduenchai ("Sompote"), who is a resident of Thailand, and companies affiliated with him.

3. Specifically, on December 16, 1997, Tsuburaya filed a criminal case and a related civil case in Thailand against Sompote alleging that Sompote had violated Tsuburaya's copyrights in the Ultraman works by distributing those works in Thailand without Tsuburaya's authorization. In response to this claim, Sompote asserted that he jointly created the Ultraman character with the founder of Tsuburaya in or around 1966 in Japan. Sompote also asserted that on March 4, 1976, he was assigned all the various rights relating and pertaining to the Ultraman works based on the Ultraman character, in order to exploit those works in Thailand and all other countries outside of Japan through a license agreement allegedly signed by Noboru Tsuburaya, Tsuburaya's president at the time (the "1976 Agreement"). Sompote submitted the 1976 Agreement to the Thai court in support of his position.

4. On April 4, 2000, the Thai Intellectual Property and International Trade Court ("Central IP&IT Court") ruled that Tsuburaya is the sole owner of the Ultraman copyright. However, the Court admitted (or concluded) that the 1976

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1 Agreement is valid and therefore dismissed Tsuburaya's claims. Tsuburaya
2 appealed that ruling to the Thai Supreme Court.

3 5. On February 5, 2008, the Thai Supreme Court announced its ruling that
4 rejected Sompote's allegation that he was the joint creator of the Ultraman
5 character, and also ruled that the 1976 Agreement was a falsification and had been
6 forged, and that Sompote therefore did not have rights to exploit any Ultraman
7 works under the 1976 Agreement.

8
9 6. On September 19, 2008, criminal charges were brought against
10 Sompote at the Criminal Court in Thailand based on his use and submission of false
11 evidence and false testimony in the criminal case and the related civil case against
12 Tsuburaya. More specifically, these charges were based on Sompote's reliance in
13 the criminal case and the related civil case on the falsified 1976 Agreement.

14 7. On June 30, 2014, Sompote was found guilty by the Criminal Court of
15 using and submitting false evidence and giving false testimony. He was sentenced
16 to two years in prison, forfeiture of the original copy of the 1976 Agreement, and a
17 fine of Baht 14,000. The custodial sentence was suspended for two years. On
18 January 28, 2015, Sompote appealed this decision to the Appeal Court. On January
19 13, 2016, the judgment against Sompote was affirmed by the Appeal Court, and was
20 announced on April 29, 2016. Sompote has requested an extension until July 27,
21 2016 in order to file a final appeal to the Supreme Court.

22
23 8. I have been informed about the present lawsuit in which the plaintiff
24 UMC sued Tsuburaya for copyright infringement in the United States. My
25 understanding is that UMC alleges that in or around 2008, all of Sompote's rights in
26 the 1976 Agreement were transferred to it, and thus it allegedly has exclusive rights
27 to distribute Ultraman works in the United States.

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1 9. I understand that since the fall of 2015, Tsuburaya's U.S. counsel from
2 Quinn, Emanuel, Urquhart & Sullivan ("Quinn Emanuel") have been attempting to
3 serve Sompote with counterclaims that Tsuburaya filed against him and other
4 parties, including UMC, in September 2015. Since the spring of 2016, I have
5 attempted to assist Quinn Emanuel in serving Sompote.

6 10. In early April 2015, I informed Quinn Emanuel that Sompote would
7 likely be present at a court hearing in Thai Criminal Court on April 29, 2016 in
8 order to hear the result of his appeal to Thailand's Supreme Court. Quinn Emanuel
9 requested that I assist in attempting to personally serve Sompote with the
10 counterclaims when he appeared for court.

11 11. To attempt to serve Sompote, two process servers were retained,
12 Kanokwan Sampanpard and Triphet Phantan. Because we could not disrupt court
13 proceedings without being potentially found in contempt, Ms. Sampanpard and Mr.
14 Phantan were instructed to wait outside of the court on April 29, 2016, intercept
15 Sompote as he came in or out of the building, and personally serve him. Ms.
16 Sampanpard and Mr. Phantan waited outside the court on that day but were unable
17 to serve Sompote. At the hearing, Sompote's conviction was affirmed by the
18 Appeal Court and he was detained until the evening when he posted bail. When he
19 left, he was picked up immediately outside the Court in a car and driven away to his
20 residence in Phra Nakhon Si Ayuthaya Province.

21 12. I instructed Ms. Sampanpard and Mr. Phantan to continue trying to
22 personally serve Sompote. On May 26, 2016, Ms. Sampanpard and Mr. Phantan
23 found Sompote in a parking lot at the Government Complex, Building A, which is a
24 location of the Central IP&IT Court, and offered him the court documents. Mr.
25 Sompote acknowledged the court documents, but refused to take possession of
26 them, and told Ms. Sampanpard to talk to his attorney. On June 20, 2016, after
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1 consulting with Quinn Emanuel, I instructed Mr. Sampanpard to mail the summons
2 and counterclaims to Sompote's attorney in the Thai criminal proceedings, Ms.
3 Pinyapat Pinyadej Sanaesangkom, at her office address by both ordinary and
4 registered mail. Evidence that Sompote has retained Ms. Sanaesangkom as
5 defendant counsel appears in a copy of the deed of appointment of lawyer and a
6 lawyer ID card, which was submitted to the Criminal Court. Copies of these
7 documents with their English translations are attached as **Exhibit 1**.

8 13. I also instructed Ms. Sampanpard to send the summons to Sompote's
9 residence both by ordinary and registered mail. I obtained the address of Ms.
10 Sanaesangkom from court filings in the criminal proceedings against Sompote.
11 Signed return receipts were received for the registered mailings to Ms.
12 Sanaesangkom and to Sompote's residence.

13 14. On June 21, 2016, I instructed Mr. Sampanpard to email the summons
14 and counterclaims to Ms. Sanaesangkom at a Gmail address that I obtained from
15 court filings in the criminal proceedings against Sompote. On June 22, 2016, Ms.
16 Sanaesangkom responded to this email with a scanned letter informing Mr.
17 Sampanpard that she was not authorized to accept service on Sompote's behalf.

18 15. On June 27, 2016, there was a pre-trial hearing scheduled for 1:30 p.m.
19 at the Central Intellectual Property and International Trade Court in another pending
20 case in which Tsuburaya has sued Sompote and five other defendants for recovery
21 of damages incurred by Tsuburaya from unlawfully licensed Ultraman works during
22 1998-2008. I attended this hearing as did Sompote and his daughter, Ms. Namfon
23 Saengduenchai. I instructed Ms. Sampanpard and Mr. Phantan to serve the
24 documents on Sompote again. Around 4:45 p.m., after the hearing was completed,
25 Ms. Sampanpard and Mr. Phantan waited for Sompote and his daughter to walk out
26 from the Court into a parking lot of the Government Complex, Building A, where a
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1 Jeep, license plate No. Kor Kor 2336, Phra Nakhon Si Ayutthaya, was parked. I
2 understand this to be Sompote's daughter's car. When Sompote and his daughter
3 were at the car, Ms. Sampanpard offered Sompote the court documents. Sompote
4 refused to take possession of them, saying that the documents should be sent
5 through the Ministry of Foreign Affairs. Ms. Sampanpard then left the Court
6 documents on the windshield of Sompote's daughter's car and she walked away
7 from the car.

8 16. I declare under penalty of perjury under the laws of the United States of
9 America that the foregoing is true and correct.

10 Executed on this 29th day of June 2016, at Baker & McKenzie Ltd, 22nd
11 Floor, Abdulrahim Place, 990, Rama IV Road, Bangkok 10500, Thailand.

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16 Manu Rakwattanakul
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Exhibit 1

แผนกสารบบเสนอ

(๙)

ใบแต่งตั้งนายความ



-1 FEB 2016 11 58

คดีหมายเลขดำที่...อ.๓๕๑๗... /๒๕๕๑...

คดีหมายเลขแดงที่...อ.๑๔๘๔... /๒๕๕๒...

งานอุทธรณ์-ฎีกา

สำเนาถูกต้อง

วิจิตร ประการ

นางสาววิจิตร ประการ

เจ้าหน้าที่ศาลยุติธรรมชำนาญการ

ศาล ...อาญา.....

วันที่ ๑ เดือน กุมภาพันธ์ พุทธศักราช ๒๕๕๙.....

ความ ..อาญา.....

ระหว่าง

...บริษัท..ซีบูราญา..โปรดักชั่น..จำกัด..... โจทก์

...นายสมโพธิ..แสงเดือนฉาย..กับพวกรวม..๒..คน..... จำเลย

ข้าพเจ้านายสมโพธิ..แสงเดือนฉาย.....จำเลยที่..๑.....

ขอแต่งตั้งให้นางสาวภิญญาพัชญ์ ภิญเดช เสน่ห์สังคม.....

เป็นทนายความของข้าพเจ้าในคดีนี้ และให้มีอำนาจ *....ดำเนินกระบวนการพิจารณาใดไปทาง จำหน่าย...

สิทธิของข้าพเจ้า เช่น การยอมรับตามที่คู่ความฝ่ายหนึ่งเรียกร้อง การถอนฟ้อง การประนีประนอมยอมความ

การสละสิทธิ หรือ การใช้สิทธิในการอุทธรณ์ หรือ ฎีกา หรือ ในการขอให้พิจารณาคดีใหม่.....

ข้าพเจ้ายอมรับผิดชอบตามที่นางสาวภิญญาพัชญ์ ภิญเดช เสน่ห์สังคม.....

ทนายความจะได้ดำเนินกระบวนการพิจารณาต่อไปตามกฎหมาย

ข้าพเจ้าขอรับรองว่าเป็นลายมือชื่อของผู้แต่งตั้งทนายความที่ลงลายมือชื่อต่อหน้าข้าพเจ้าจริงข้าพเจ้า

ภิญญาพัชญ์ ภ.

(นางสาวภิญญาพัชญ์ ภิญเดช เสน่ห์สังคม)

ทนายความ

ผู้แต่งตั้งทนายความ

(พลิก)

หมายเหตุ * ตามประมวลกฎหมายวิธีพิจารณาความแพ่งมาตรา ๖๒ ทนายความไม่มีอำนาจดำเนินกระบวนการพิจารณาใดไปทางจำหน่ายสิทธิของคู่ความนั้น เช่น การยอมรับตามที่คู่ความอีกฝ่ายหนึ่งเรียกร้อง การถอนฟ้อง การประนีประนอมยอมความ การสละสิทธิ หรือการใช้สิทธิในการอุทธรณ์หรือฎีกา หรือในการขอให้พิจารณาคดีใหม่ ถ้าจะมอบให้มีอำนาจดังกล่าวประการใดบ้าง ให้กรอกลงในช่องที่ว่างไว้โดยระบุให้ชัดเจน (คำที่ไม่ใช่และช่องว่างที่เหลือให้ขีดเสีย)

คำรับเป็นทนายความ

ข้าพเจ้า...นางสาวกัญญาพัชญ์ ภิญเดช เสน่ห์สังคม.....ทนายความจำเลยที่..๑.....

เลขประจำตัวประชาชน ๙-๙๘๙๒-๐๐๐๖๓-๐๘-๕

ใบอนุญาตให้เป็นทนายความเลขที่.๑๒๘๖/๒๕๕๗. ได้รับอนุญาตให้ว่าความ....ทั้วราชอาณาจักร.....

ที่อยู่ปัจจุบันเลขที่...๙/๑๖...หมู่ที่...๓...ถนน.....

ตรอก/ซอย.....ตำบล/แขวง.....เจ้าเจ็ด.....

อำเภอ/เขต...เสนา.....จังหวัด..พระนครศรีอยุธยา...รหัสไปรษณีย์...๑๓๑๑๐.....

โทรศัพท์๐๖๒-๙๓๕๑๔๑๕..... โทรสาร

ไปรษณีย์อิเล็กทรอนิกส์.....dahla.pinya@gmail.com.....

สำนักงานอยู่ที่.....๙/๑๖.....หมู่ที่...๓...ถนน

ตรอก/ซอย.....ตำบล/แขวง.....เจ้าเจ็ด.....

อำเภอ/เขต..เสนา..จังหวัด..พระนครศรีอยุธยา..รหัสไปรษณีย์๑๓๑๑๐โทรศัพท์...๐๖๒-๙๓๕๑๔๑๕...

โทรสาร ไปรษณีย์อิเล็กทรอนิกส์ .. dahla.pinya@gmail.com.....

ขอรับเป็นทนายความของ.....นายสมโพธิ..แสงเดือนฉาย.....จำเลยที่..๑.....

เพื่อดำเนินกระบวนการพิจารณาต่อไปตามหน้าที่ในกฎหมาย

กัญญาพัชญ์ จ.

.....ทนายความ
(นางสาวกัญญาพัชญ์ ภิญเดช เสน่ห์สังคม)

คำสั่ง

วพ.

(นายสันติ บุตรดี)

ผู้พิพากษา

เลขหมายใบอนุญาตให้เป็นทนายความ 1286/2557

เลขประจำตัวบัตรประชาชน 1-1412-00067-08-5

ชื่อ นางสาวกัญญาพัชญ์ ภิญเดช เสน่ห์สังคม



เกิดวันที่ 3 มี.ค. 2531



ที่อยู่ 9/16 หมู่ 3

ตำบลเจ้าเจ็ด อำเภอเสนา

พระนครศรีอยุธยา 13110

โทร. 091-0100256

กัญญาพัชญ์ ภ./

ลายมือชื่อผู้ถือบัตร

สำเนาถูกต้อง

กัญญาพัชญ์ ภ./

(นางสาวกัญญาพัชญ์ ภิญเดช เสน่ห์สังคม)
ทนายความบัตรประจำตัวสมาชิกสภาทนายความ
ประเภท สองปี

ชื่อสำนักงาน กัญญาพัชญ์ ภิญเดช

เลขที่

9/16 หมู่ 3

ตำบลเจ้าเจ็ด อำเภอเสนา

พระนครศรีอยุธยา 13110

วันที่ 27 มี.ย. 2557

วันออกบัตร

(นางสาวอรอนงค์ เทศะปารุง)
นายทะเบียนสภาทนายความ

วันที่ 26 มี.ย. 2559

บัตรหมดอายุ

(นายเดชอุดม ไกรฤทธิ)
นายกสภาทนายความ

(Translation)

Garuda Emblem

(9)

Deed of Appointment of Lawyer

Black Case No. Aor.3517 /25 51

Red Case No. Aor.1484 /25 52

CERTIFIED TRUE AND CORRECT COPY

Court Criminal

(signed)
Ms.Visithorn Prakarn
Experienced Court Staff

1 day of February B.E. 2559

Case Criminal

between { Tsuburaya Productions Co., Ltd. Plaintiff
Mr.Sompote Saengduenchai No.1, et al., totaling 2 persons Defendant

I, Mr.Sompote Saengduenchai
Defendant No.1

do hereby appoint Ms.Pinyapat Pinyadej Sanaesangkom
to be my lawyer in this case and do empower* him to carry out any proceeding that involves the disposal of the party's rights, such as admission of the adverse party's claim admit the opposing party's claim, withdrawal of the party's claim, compromise, renunciation or exercise of the right to appeal of dika appeal or to apply for a new trial.

I am responsible for whatsoever Ms.Pinyapat Pinyadej Sanaesangkom
the lawyer, shall lawfully do in the proceedings.

Certify that it is the true signature
of the Appointer (signed) Appointer

-signed-
(Ms.Pinyapat Pinyadej Sanaesangkom)
Lawyer

(See over)

Note: According to section 62 of the Civil Procedure Code, the lawyer has no power to carry out any proceeding (that) involves the disposal of (the) party's rights, such as admission of the opposing party's claim, withdrawal of the party's claim, compromise, renunciation or exercise of the right to appeal or dika appeal or to apply for a new trial. If you are going to empower him to act in any of the aforesaid proceedings, write it/them in the space provided by expressly stating the same. (Words not applicable and any remaining unused space should be cancelled.)

CERTIFIED TRUE AND CORRECT TRANSLATION

M - R
(Manu Rakwattanakul)

(Translation)

Appointment of Lawyer

I, Ms.Pinyapat Pinyadej Sanaesangkom Lawyer of Defendant No.1
Identification no. 1-1412-00067-08-5,
license no. 1286/2557, allowed to practice law throughout the Kingdom of Thailand
Residing at 9/16 Moo 3 Road -
Trok/Soi - Subdistrict Jao Jet
District Sena Province Phra Nakhon Si Ayutthaya Postal code 13110
Tel. 062-9351415 Fax. -
Email dahla.pinya@gmail.com
Office located at 9/16 Moo 3 Road -
Trok/Soi - Subdistrict Jao Jet
District Sena Province Phra Nakhon Si Ayutthaya Postal code 13110 Tel. 0629351415
Fax. - Email dahla.pinya@gmail.com
Accept to act as the attorney of Mr.Sompote Saengduenchai Defendant No.1
in the court hearings according to duties under the law.

(signed) Lawyer
(Ms.Pinyapat Pinyadej Sanaesangkom)

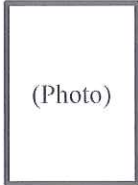
Order

Add together

CERTIFIED TRUE AND CORRECT TRANSLATION

M- R.
(Manu Rakwattanakul)

(signed) Judge
(Mr.Santi Buddee)

ATTORNEY-AT-LAW LICENSE 1286/2557	
ID. No. : 1-1412-00067-08-5	
Name: Ms.Pinyapat Piyadej Sanaesangkom	 (Photo)
 Date of birth: 3 March 1988	
Address: 9/16 Moo 3, Jao Jet Subdistrict, Sena District, Phra Nakhon Si Ayutthaya 13110 Tel.: 091-0100256	
	-signed- Licensee's Signature

CERTIFIED TRUE AND CORRECT COPT

-signed-
(Ms.Pinyapat Piyadej Sanaesangkom)
Lawyer

THE LAWYERS COUNCIL OF THAILAND	
Type: 2 years	
Law Office: Pinyapat Piyadej	
Address: 9/16 Moo 3, Jao Jet Subdistrict, Sena District, Phra Nakhon Si Ayutthaya 13110	
27 June 2014	26 June 2016
Issuing Date	Expiration Date
-signed-	-signed-
(Ms.Orn- Anong Thesabamrung)	(Mr. Dej-Udom Krairit)
Registrar of Lawyers council of Thailand	President of Lawyers Council of Thailand

CERTIFIED TRUE AND CORRECT TRANSLATION


(Manu Rakwattanakul)